

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Police – Petition of Sri Balkishan, PC 132 of Medak District for implementation of orders in O.A.No.1174/2003 –Orders – Issued.

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HOME (SER-II) DEPARTMENT

G.O.Rt.No. 163

dated:7-2-2011

Read the following:

1. From Sri, Balkishan, PC 132 of Medak District petition dated: 2-8-2010
2. Govt.Memo.No.23083/Ser-II/A3/10, dated: 17-08-2010.
3. From the DGP, AP, Hyd, Lr.Rc.No.3019 /Appeal-1/ 2010, dated: 2-12-2010.

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**ORDER:**

In the reference 3<sup>rd</sup> read above, the Director General of Police, AP, Hyderabad has informed that Sri Balkishan, PC 132 of Medak District was dealt with on a P.Roll involving an O.E. for the following delinquency:

“Gross dereliction of duty and irregular for his legitimate duties like Beat, Guard and being member of disciplined force he was found slept on PS guard sentry duty and some times in drunken condition which exhibits his gross dereliction of duty.”

2. The SP, Medak District has held the charge as proved and imposed the punishment of Compulsory retirement from service, treating the suspension period as not on duty in his proceedings No. 59/PR/96, D.O.No. 258/1997 dated: 28-2-97.His appeal petition was considered and rejected by the appellate authority in proceedings dated: 11-3-1997. His revision petition was also considered and rejected by the revisional authority in his proceedings dated: 10-3-1999.

3. His petition to Government was considered and the punishment was modified to that of PPI for 4 years with effect and the period of suspension and out of employment treated as not on duty, by the Government vide G.O.Rt.No.1533, Home (Pol.B) Dept., dated: 18-9-2001. He has filed an O.A.No.7273/1997 in the Hon'ble Tribunal, but the Hon'ble Tribunal in its orders dated: 23-1-2003 dismissed his O.A. as it is held as devoid of merits. His 2<sup>nd</sup> petition was also considered and rejected by the Government in Memo No. 2041/Pol.B/A2/2002, dated: 11-3-02.

4. The DGP, AP, Hyderabad, has stated that as the suspension and out of employment period which was treated as not on duty is not regularized and rejected by the Government, the said individual has filed an O.A.No.1174/2003 in the Hon'ble APAT, Hyderabad and the the Hon'ble Tribunal in its Judgment dated: 14-7-2009 has ordered to treat the period during which the applicant was under suspension and out of employment period as on duty, only for the purpose of claiming increment and fixation of his pay from the date of reinstatement into service.

5. The DGP, A.P. Hyderabad has, therefore, requested the Government to issue necessary orders in the light of the APAT orders dated: 14-7-2009 in O.A.No.1174/2003

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6. Government, after careful examination of the matter, hereby decide to implement the orders of the Hon'ble APAT, dated: 14-7-2009 in O.A.No.1174/2003. The DGP, AP, Hyderabad, is requested to take necessary action to treat the period during which the applicant was under suspension and out of employment period as on duty, only for the purpose of claiming increments and fixation of his pay from the date of reinstatement into service.

7. The records received in the reference 3<sup>rd</sup> read above are returned herewith, the receipt of which should be acknowledged

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

P.GAUTAM KUMAR  
PRINCIPAL SECRETARY TO GOVERNMENT

To,  
The Director General of Police, AP, Hyderabad (with records)  
The individual through DGP, AP, Hyderabad  
Sc/Sf

// Forwarded :: By order//

SECTION OFFICER